

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 99-284

November 9, 1999

BANGOR HYDRO-ELECTRIC COMPANY
Request to Continue Certain
Generation-Related Business Activities

ORDER GRANTING
BANGOR HYDRO-ELECTRIC
COMPANY'S REQUEST FOR
AN ADDITIONAL EXTENSION

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

On October 28, 1999, BHE filed a request for a one week extension of the date by which it must submit its designation of the winner bidder(s) for the entitlements to the output of its undivested generation assets. This request was granted by Order of the Director of Technical Analysis dated October 29, 1999. On November 5, 1999, BHE submitted a filing indicating that, due to unforeseen delays, it could not meet the November 8 deadline approved in that order, and consequently needed to request an additional extension until November 15, 1999. BHE indicated informally, however, that it expects to be able to file sooner than November 15, 1999.

Section 11 of Chapter 307 allows the Commission, for good cause, to waive any requirement of Chapter 307 that is not required by statute as long as the waiver is not inconsistent with the purposes of the Chapter or Title 35-A. Section 11 also includes a delegation of the Commission's authority to grant such waivers to the Director of Technical Analysis or the presiding officer of a Chapter 307 related proceeding.

I have reviewed BHE's request for an additional extension. I find that good cause exists for a second extension of the November 1 filing deadline and that an extension is not inconsistent with the purposes of Chapter 307 or Title 35-A. I will grant BHE's request for an extension until November 15, 1999. However, BHE should submit its designation of winning bidder(s) prior to that, if at all possible.

Accordingly, it is

ORDERED

1. Bangor Hydro-Electric Company's request for a second one week extension of the November 1, 1999 submission deadline contained in section 7(H) of Chapter 307 is granted.

2. Bangor Hydro-Electric Company is directed to submit the material required by Section 7(H) of Chapter 307 on or before November 15, 1999.

Dated at Augusta, Maine, this 9th day of November, 1999.

BY ORDER OF THE ACTING DIRECTOR OF TECHNICAL ANALYSIS

Faith Huntington

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73, et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.